

AUG 22 2005

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DATE: August 22, 2005  
FROM: Patrick J. Hagan  
DELIVER TO: Examiner S. McGarry  
Group Art Unit 1635  
United States Patent and Trademark Office

Fax No.: 1-571-273-8300

RE: USSN 09/242,843

OPERATOR : Janice M. Nightlinger

Total Pages (including this cover) 8

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**Dear Sir/Madam:**

**Transmitted herewith please find a "RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT" to be made of record for the above-referenced patent application.**

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AUG 22 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Examiner: S. McGarry  
 Paul Jarrett, et al. : Group Art Unit: 1635  
 Serial No.: 09/242,843 :  
 Filed: November 18, 1999 :  
 Entitled: "Pesticidal Agents" :

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August 22, 2005  
 Date

Janice M. Nightlinger  
 Janice M. Nightlinger

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Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT

Dear Sir:

A Notice of Non-Compliant Amendment (37 CFR § 1.121) was issued July 22, 2005 in the above-identified patent application. The July 22nd Notice set a one (1) month time period in which to resubmit the corrected section of applicants' Amendment and Request for Reconsideration which was filed September 24, 2003. Accordingly, the initial, unextended response period is due to expire August 22, 2005.

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In response to the aforementioned Notice, submitted herewith is the entire "Amendment to the Claims" section of the September 24, 2003 Amendment and request for Reconsideration, which complies with 37 CFR § 1.121. Entry of this "Amendment to the Claims" section, which is being resubmitted before the expiration of the initial, unextended response period, is hereby requested.

In the event that a fee is required in connection with the consideration of the present amendment the Commissioner is hereby authorized to charge such fee to Deposit Account No. 04-1406.

Favorable reconsideration and allowance of this application is again respectfully requested.

Respectfully submitted,  
DANN, DORFMAN, HERRELL and SKILLMAN

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